



Ayad P. Jacob  
312.258.5585  
ajacob@schiffhardin.com

6600 SEARS TOWER  
CHICAGO, ILLINOIS 60606  
t 312.258.5500  
f 312.258.5600  
www.schiffhardin.com

September 14, 2005

**VIA FEDERAL EXPRESS**

The Honorable Richard Conway Casey  
United States District Court for the Southern District of New York  
United States Courthouse  
500 Pearl Street, Room 1950  
New York, NY 10007

Re: *In re Terrorist Attacks of September 11, 2001, 03 MDL 1570 (RCC)*  
*Estate of O'Neill, et al. v. The Republic of Iraq, et al.*, Case No. 04 CV 1076 (RCC)  
*Estate of O'Neill, et al. v. Al Baraka, et al.*, Case No. 04 CV 1923 (RCC)

Dear Judge Casey:

On September 6, 2005 this firm, as Counsel for Defendants, Schreiber and Zindel Treuhand Anstalt, Frank Zindel, Engelbert Schreiber, and Engelbert Schreiber, Jr., ("Defendants"), entered into a stipulation with Plaintiffs that extended the time for Defendants to file their reply to and including September 8, 2005.

On September 8, 2005, prior to the 12:00 a.m. deadline, Counsel for Defendants attempted to file, via ECF, Defendants' Reply Memorandum in support of their motion to dismiss. Due to an internal error on the ECF website, Defendants' submissions were rejected twice (the error reports are attached hereto). Due to these internal errors Defendants were delayed in filing their submission by approximately 20 minutes. Plaintiffs' counsel was notified of the delayed filing the following day and consented to its submission on the 9th.

In addition, as set forth in the September 6, 2005 stipulation and in light of the arguments raised in Defendants' reply memorandum, Defendants withdraw their August 25, 2005 letter written in response to Plaintiffs' June 15, 2005 request for leave to re-serve certain defendants. Defendants request that the Court consider the reply memorandum as their complete response to Plaintiffs' June 15, 2005 request for leave to re-serve.

Respectfully Submitted,

SCHIFF HARDIN LLP

By:

A handwritten signature in black ink, appearing to read "Ayad P. Jacob".

Ayad P. Jacob, Esq.

cc: John N. Scholnick, Esq.

CHICAGO | WASHINGTON | NEW YORK | LAKE FOREST | ATLANTA | DUBLIN

Jerry S. Goldman, Esq.

## Responses and Replies

### 1:03-md-01570-RCC In Re: Terrorist Attacks on September 11, 2001

Syntax error - 786585-25826-53014.834296692:unload  
("cs\_appeal,cs\_bondinfo,cs\_case\_number,cs\_caseid,cs\_chapter,cs\_cjra\_stat,cs\_claimctr,cs\_closed,cs\_c  
(cs\_caseid =  
Transaction aborted.

An Internal Error has occurred the error code 71. - 1 (1 )-(4438 185 /tmp/920159384652608 )

An Internal Error has occurred the error code 70. -1

## Responses and Replies

### 1:03-md-01570-RCC In Re: Terrorist Attacks on September 11, 2001

Syntax error - 786585-25873-54109.9339913399:unload  
("cs\_appeal,cs\_bondinfo,cs\_case\_number,cs\_caseid,cs\_chapter,cs\_cjra\_stat,cs\_claimctr,cs\_closed,cs\_c  
(cs\_caseid =  
Transaction aborted.

An Internal Error has occurred the error code 71. - 1 (1 )-(19978 185 /tmp/412947669738363 )

An Internal Error has occurred the error code 70. -1